

LYNDON CITY COUNCIL  
REGULAR MEETING MINUTES OF  
January 19, 2016

The Lyndon City Council met in regular session on Tuesday, January 19, 2016, 7:00 p.m., at City Hall.

1. CALL TO ORDER: Mayor Smith called the meeting to order.

- a) City Clerk called roll of the City Council. Mayor Brandon Smith and members Chris Cole, Bill Patterson, Doug Watson and Steve Morrison present. Darby Kneisler absent with prior notification.

City Staff present: City Attorney, Pat Walsh; Julie Stutzman, City Clerk; David Wilson, Maintenance Supervisor; and Darrel Manning, Chief of Police, Officer David Forkenbrock (7:10 p.m.).

Others present: Kelly Hurla, Osage County Herald Chronicle.

2. ADOPTION OF MINUTES OF PREVIOUS MEETINGS:

- a) Patterson made the motion to approve the Regular Meeting minutes of January 4, 2016 as written. Watson seconded, motion carried.

3. CONSENT AGENDA:

- a) Approval of Bills: Cole made the motion to approve the bills as set forth. Morrison seconded, motion carried.

4. PUBLIC COMMENTS: None.

5. CORRESPONDENCE TO COUNCIL:

- Pledge of Securities from Lyndon State Bank as of December 31, 2015.
- Public Wholesale Water Supply District meeting minutes from December 16, 2015.

6. UNFINISHED BUSINESS:

- a. SEWER PLANT EVALUATION: The City Clerk provided two emails from Bruce Boettcher of BG Consultants on the progress of the sewer plant evaluation. She stated the first email dated January 5 detailed Mr. Boettcher's phone conversation with Donna Crawford at Governmental Assistance Services regarding the CDBG grant. CDBG is holding a grant workshop in February and will have new guidelines that may include a possible LMI data update and Ms. Crawford was concerned with the starting the LMI survey before the workshop. The email also briefly discussed funding options through KDHE and USDA Rural Development.

The email from Bruce Boettcher from BG Consultants dated January 15, 2015 reported the BG Consultants held a conference with KDHE concerning the wastewater treatment options and draft report. Mr. Boettcher stated the response from KDHE was positive and recommended moving forward with the discharging lagoon.

Mayor Smith stated he met with the Maintenance Supervisor and Charlie Schwindamann from the Kansas Rural Water Association about the sewer project. Mr. Schwindamann's suggestion is to build a non-discharging lagoon and address the I&I issue in the collection system, it could be built to size as far as flow instead of the worst-case scenario. The Maintenance Supervisor stated if the collection system as far as I&I were corrected, the size of lagoon would also not have to be as big. Cole asked how the I&I issue can be fixed and the Maintenance Supervisor stated the collection system repair includes rehab of the sewer lines and fixing taps into the sewer mains. Discussion continued about the rehab of the collection system and the options of a non-discharging lagoon and discharging lagoon. No action was taken.

- b. JONES PARK USE AGREEMENT: The meeting was held on Monday, January 11 at 7 p.m. at City Hall with Mayor Smith and Council member Watson attending. Watson stated the main discussion was about the letter from USD 421 and their concerns about the current draft of the Jones Park Agreement. He stated the school district's main concern is about the condition of the lighting and that in the previous agreement it was the responsibility of the City for upkeep of the poles and the lights. The school district felt the City did not do that and the lighting is not in the condition it should be. In the new agreement, the maintenance is given to an entity that was not responsible for the lighting in the first place and will be responsible for replacing them. Mayor Smith stated the school district is asking for inspection if the lighting to assess its current condition. Watson stated their other concern is if the other entities are going to assume either partial or full responsibility for things that were not previously theirs in the old agreement that they would like to have a company inspect all of the lighting so they would know the estimated cost of replacement. Watson also stated that there was discussion about someone coming in to inspect the equipment and assessing the condition upfront so that all entities that are responsible in the new agreement are aware of the age and condition of that particular item.

Watson asked about a lease agreement between the City and USD 421 in regards to the football field. The City Attorney stated it has been about 20 years since he has reviewed a lease agreement and the City Clerk will continue to dig through records and call the County to see if there is an agreement registered with the deeds office.

Mayor Smith also stated the Lyndon Rec's voiced their concern about reserve or emergency funds for Jones Park facilities and how each entity would contribute. The Council briefly discussed the issue and noted that it would continue to be shown in the City's budget.

- c. JONES PARK BASEBALL FIELD LIGHTING: The Maintenance Supervisor stated he contacted Brad with Musco Lighting and their company builds ball field and stadium lighting. He stated he will be meeting with him tomorrow and USD 421 and the Lyndon Rec Director were notified of the meeting. He asked what the City is looking for in meeting the terms of the new Jones Park Agreement and if it was terms of safety and repair of the lighting. The Maintenance Supervisor asked the Council to clarify the direction they are going in terms of if the City brings it up to standard and the other two entities want replacement. Watson stated the other

entities felt that if there is a pole in Jones Park that has been in need of repair, their thought was the City should be responsible for replacement. The Maintenance Supervisor stated the City Clerk set up the meeting and he is not sure if he will inspect that day or it will be someone else in the company. The City Clerk stated when she set up the appointment and talked with Brad from Musco Lighting, this is just a preliminary meeting to diagram the current lighting system and discuss concerns with the City, USD 421 and the Lyndon Rec. Further discussion continued about the lighting and facility responsibilities at Jones Park with no action taken.

7. NEW BUSINESS:

- a) SEWER ABATEMENT REQUEST: The Council received a sewer abatement request from Al and Layne Stevens for a water leak that happened in December 2015. The maintenance department verified the leak per the current ordinance. Cole made the motion to approve the sewer abatement for \$18.15. Watson seconded, motion carried.
- b) 2016 BUDGET: The City Clerk stated the 2016 Budget would need to be amended due to the half-percent needing to be separated into its own fund with revenue and expenditures. She stated the funds that need amending are the only ones that are included in and not the entire budget. Once the budget is amended, another public hearing will need to be held. The City Clerk stated she is going to hold off amending until later in the year to see if some of the projects proceed. Cole stated water and sewer reserve funds need to be set up by ordinance.
- c) FINANCIAL UPDATES: The City Clerk provided the Council with financial updates by fund and stated the each fund ended within eighty-five to ninety-five percent of the budget expended. She stated that as of December 31, 2015 the City's bank balance less CD balances is \$507,000 compared to approximately \$440,000 last year. She stated the funds look healthy and should not have any budget violations and make the audit go smoothly. The City Clerk briefly discussed each fund and expended percentages with Council. The City Clerk noted the audit is scheduled for the week of March 1.

8. STAFF REPORTS:

- a) POLICE: The Council received a copy of the Officer Activity report for January 2016 for review.
- b) PLANNING AND ZONING: No report. No meeting in January.
- c) PUBLIC WORKS: The Maintenance Supervisor provided Council a copy of the Maintenance Activity report.

Mayor Smith asked about the progress on fixing the sirens. The Maintenance Supervisor stated the motherboard for the siren at the pool came back, the siren company installed it and it is good now. He stated they are still working on the siren north of town because it is still draining the batteries. The Maintenance Supervisor stated he took the batteries to Batteries Plus and they are in working order. He

stated he took pictures of the battery charger and the information from Batteries Plus on the battery tests and sent them by email to Timothy McDade of CDL Electric this morning as this was the next step in figuring out the issue.

- d) CITY CLERK: Council received a copy of the clerk's report and discussed it with Council.

The Annual Easter Egg hunt is March 19th at the Lyndon High School Football field and received a request for donation from Rhonda Moon. In the past, the City provided fifty pool passes for the event. After further discussion, it was consensus of the Council to provide fifty pool passes annually for the event.

The City Clerk stated she received a call about the City's flowerpots today from Erika Bradshaw at EB Sprouts. The cost is \$100 per pot, which includes the flowers and storage of the pots over the off-season. Last year sixteen pots were placed in the downtown area, however, it was recommended to the Council to reduce the number of pots to sixteen to eight. The pots would be four per block between 8th and 6th streets on Topeka Avenue. The \$1600 does not count replacing the pots that are in need of replacement. After further discussion, it was consensus of the Council to place the eight pots as proposed and use the other portion of the allotted amount for other beautification downtown such as upgrading the trashcans and/or more benches.

The City Clerk stated the City is participating in the Tigers Kindness Project that runs through February 26th and ending with a Color Me Kind Color Run in April. She stated in order to participate each business is asked to display the participating business poster, and if you, your employees or your customers witness or participate in a random act of kindness to fill out a Kindness Track to be displayed in your window. The City Clerk stated if there are twenty or more kindness tracks displayed in the window; the City will be on the back on the t-shirts for the color run.

Mayor Smith asked about the community center maintenance and the City Clerk stated that she and the Maintenance Supervisor have discussed painting the building and the condition of the carpet. The Maintenance Supervisor stated there are areas of the sheetrock that need repaired and it will take approximately ten gallons of paint. He stated it should be under his spending limit of \$500 for the paint and supplies. The Maintenance Supervisor stated that they also discussed putting something underneath the bar area to help with damage. The City Clerk stated that tentatively they have closed the Community Center for the week of February 15 for painting and repair.

The City Clerk reminded the Council the February water bill would include the 3% annual increase.

## 9. COUNCIL/MAYOR COMMENTS AND REPORTS:

Cole wanted to say good job to the Council and staff for working to stay under budget. He stated there was authorization in the budget to spend more than was spent and that it shows that Council and staff want what is best for the City.

Mayor Smith asked how the ribbon cutting at Harrison Shooter Supply went and Council member Cole stated it went well and had a great turn out.

10. EXECUTIVE SESSION:

Patterson made the motion to recess to executive session for 10 minutes for Attorney-Client Privilege. Cole seconded, motion carried. Council reconvened with no action taken.

11. ADJOURNMENT: Patterson made the motion to adjourn to Monday, February 1, 2016, at 7:00 p.m. for the regular meeting. Cole seconded, motion carried.

  
City Clerk